REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-18, 20-31, and 36 are pending in this case.

In the outstanding Office Action, Claims 1-5, 7-9, 11-14, 18, 20-24, 26-28, 30, 31, and 36 were rejected under 35 U.S.C. §103(a) as unpatentable over Chuprun et al. (U.S. Patent No. 6,115,580, hereinafter "Chuprun") in view of Morris et al. (U.S. Patent No. 5,003,619, hereinafter "Morris"); Claims 6 and 25 were rejected under 35 U.S.C. §103(a) as unpatentable over Chuprun and Morris and further in view of Pelech et al. (U.S. Patent No. 6,243,585, hereinafter "Pelech"). Claims 10 and 29 were rejected under 35 U.S.C. §103(a) as unpatentable over Chuprun and Morris and further in view of Jennings, III (U.S. Patent No. 6,173,191, hereinafter "Jennings"). Claims 15-17 were rejected under 35 U.S.C. §103(a) as unpatentable over Chuprun and Morris and further in view of Feng (U.S. Patent No. 5,374,936).

With regard to the rejection of Claim 1 under 35 U.S.C. §103(a) as unpatentable over Chuprun in view of Morris, that rejection is respectfully traversed.

Claim 1 recites:

> performing a measurement phase in which a calibration signal is successively broadcasted by each network device and in which ***all respective other network devices receiving said calibration signal directly from a broadcasting network device measure the received signal quality***;
>
> performing a reporting phase in which the measurement results are directly wirelessly transmitted from each network device to the network device creating said topology map; and
>
> performing a creating phase in which said topology map of the network is created within the network device creating said topology map on basis of all received measurement results.

The outstanding Office Action cited in the abstract, column 2, lines 1-14, column 3, lines 45-50, and column 6, lines 22-32 of Chuprun as describing "performing a measurement

phase" as recited in Claim 1.[1] However, the proposed system of Chuprun uses a different approach in order to derive the information about wireless connections quality in-between mobile network devices, and thus does not describe "performing a measurement phase" as recited in Claim 1.

For instance, in column 2, lines 6-9 of Chuprun, it is described that the "system uses the terrain information and knowledge of network node locations to estimate the quality of node-to-node links in the network (e.g., by ***estimating*** path-loss between nodes)." (Emphasis added.) With respect to Figure 2 it is disclosed in column 3, lines 56-62 that "The node location table 50 and the terrain awareness table 48 are operative for storing, respectively, information about the location of the nodes in the network and a terrain about the network 10. The link quality determination unit (LQDU) 54 ***estimates*** the quality of the wireless links in the network 10 ***based on the node location and the terrain information***." (Emphasis added.) As it is described in column 4, lines 28-35:

> The locations of the other nodes in the network are received from the exterior environment, via node transceiver 42. In a preferred embodiment of the invention each of the mobile nodes in the network 10 includes a geolocation unit 52 for use in determining its present location. The ***location information*** for each node is transmitted to all of the other nodes in the network 10 for storage in an associated node location table 50.
> (Emphasis added.)

It is disclosed in column 4, lines 38-47, that different approaches might be used in order to arrive at the "location" of the node. It is further disclosed in column 4, line 66 to column 5, line 36 how the terrain awareness table is used to store terrain information that describes a terrain in which the network 10 is operating. Further, in column 5, lines 37-39 it is disclosed that the link quality determination unit determines the quality of the node to node links in the network 10 using the node location information and the terrain information.

[1]See the outstanding Office Action at page 3, lines 16-20.

Thus, Chuprun does not disclose to broadcast a ***calibration signal***, as the location, which is transmitted to the different nodes, is not a calibration signal but is a ***position signal***. In addition, there is no disclosure at all that the other network devices ***measure a received signal quality***. Thus, Chuprun only discloses to estimate the quality of connectivity of the network devices based on the location and the terrain between the locations. Chuprun does not disclose measuring the received signal quality of a calibration signal. Accordingly, Chuprun does not teach or suggest "performing a measurement phase" asserted by the outstanding Office Action.

The outstanding Office Action conceded that Chuprun does not describe "performing a reporting phase," and cited Morris as describing this feature.[2] However, Morris only describes adjusting the power of a transmitter based on received signal strengths from subscribers. Thus, as Morris does not describe creating a topology map of a wireless network, Morris cannot describe directly wirelessly transmitting measurement results from each network device to a network device creating a topology map. Accordingly, Morris does not teach or suggest "performing a reporting phase" asserted by the outstanding Office Action.

Finally, since Morris deals with adjusting the power of a transmitter and Chuprun deals with adaptive network link optimization it is not evident that a the person having ordinary skill in the art would combine the teachings of Morris and Chuprun. Thus, it is respectfully submitted that there is no suggestion or motivation to make the proposed combination.

Thus, since Chuprun does not teach or suggest "performing a measurement phase," Morris does not teach or suggest "performing a reporting phase," and there is no suggestion

[2]See the outstanding Office Action at page 4, lines 4-9.

or motivation to make proposed combination of Chuprun and Morris, Claim 1 (and Claims 2-12 dependent therefrom) is patentable over Chuprun in view of Morris.

Claim 13 recites in part:

> means for broadcasting a calibration signal ***directly*** to the other network devices;
> ***means for measuring a power level of calibration signals received directly from a broadcasting network device***;
> means for internally storing results of said measurement; and
> means for ***directly*** wirelessly transmitting said measurement results to another network device.

As noted above, Chuprun does not teach or suggest broadcasting or measuring a power level of a ***calibration signal***. Thus, it is respectfully submitted that Chuprun does not teach or suggest "means for broadcasting" and "means for measuring" as recited in Claim 13. Consequently, it is respectfully submitted that Claim 13 (and Claims 14-17 dependent therefrom) is also patentable over Chuprun in view of Morris.

Independent Claims 18, 20, and 31 recite similar elements to Claim 1. Accordingly, Claims 18, 20, and 31 (and Claims 21-30 dependent therefrom) are patentable over Chuprun and Morris for at least the reasons described above with respect to Claim 1.

With regard to the rejection of Claims 6 and 25 as unpatentable over Chuprun and Morris and further in view of Pelech, it is noted that Claims 6 and 25 are dependent from Claims 1 and 20, respectively, and thus are believed to be patentable for at least the reasons discussed above with respect to Claim 1. Further, it is respectfully submitted that Pelech does not cure any of the above-noted deficiencies of Chuprun and Morris. Accordingly, it is respectfully submitted that Claims 6 and 25 are patentable over Chuprun and Morris and further in view of Pelech.

With regard to the rejection of Claims 10 and 29 as unpatentable over Chuprun and Morris and further in view of Jennings, it is noted that Claims 10 and 29 are dependent from Claims 1 and 20, respectively, and thus are believed to be patentable for at least the reasons

discussed above with respect to Claim 1. Further, it is respectfully submitted that Jennings does not cure any of the above-noted deficiencies of Chuprun and Morris. Accordingly, it is respectfully submitted that Claims 10 and 29 are patentable over Chuprun and Morris and further in view of Jennings.

With regard to the rejection of Claims 15-17 as unpatentable over Chuprun and Morris in view of Feng, it is noted that Claims 15-17 are dependent from Claim 13, and thus are believed to be patentable for at least the reasons discussed above with respect to Claim 13. Further, it is respectfully submitted that Feng does not cure any of the above-noted deficiencies of Chuprun and Morris. Accordingly, it is respectfully submitted that Claims 15-17 are patentable over Chuprun and Morris in view of Feng.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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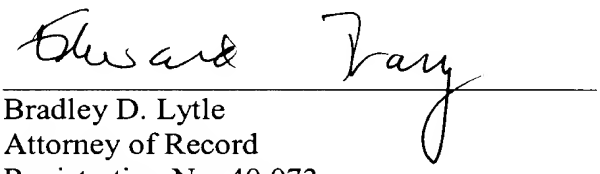

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